



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, SECOND SESSION

Vol. 152

WASHINGTON, MONDAY, SEPTEMBER 18, 2006

No. 116

House of Representatives

The House was not in session today. Its next meeting will be held on Tuesday, September 19, 2006, at 12:30 p.m.

Senate

MONDAY, SEPTEMBER 18, 2006

The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Our Father, we thank You for Your presence in our midst. We thank You that You are a God who wants friendship with us. Forgive us for so often running away from You, for spurning Your kindness, for turning against the very love that gives us life.

Today, inspire the Members of this body. Give them the vision of a warless world, one in which Isaiah and Micah foresaw three millennia ago.

Help our lawmakers use their power to hasten the day when nations shall not lift up swords against nations, nor shall they learn war anymore. Let not hate or fear desolate this beautiful, blood-sustained Earth forever; rather, let the Earth increase its knowledge of You as the waters cover the sea.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business, with Senators permitted to speak therein for up to 10 minutes each.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, we are back this afternoon to return to the consideration of the United States-Oman trade agreement. Last week, we reached an agreement for debate on this past Friday and today, with the vote occurring tomorrow. On Tuesday, there will be 30 minutes for closing remarks prior to vote on passage. We expect the vote to occur prior to the Tuesday policy meetings.

Also on Tuesday, following the policy luncheons, the Senate will proceed to executive session for the consideration of the nomination of Alice Fisher to be an Assistant Attorney General. There will be 5½ hours set aside for the debate on this nomination, although we don't anticipate that all of that time will be necessary.

There are other legislative and executive items we will schedule this week in addition to those I just mentioned. We are consulting with a number of colleagues as we schedule these matters, and I will have more to say after those conversations are concluded.

UNANIMOUS CONSENT AGREEMENT—H.R. 4954

AMENDMENT NO. 4997, AS FURTHER MODIFIED

Mr. FRIST. Mr. President, I ask unanimous consent that notwithstanding passage of H.R. 4954, the Menendez amendment No. 4997 be modified with the changes at the desk.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment (No. 4997), as further modified, is as follows:

On page 18, between lines 22 and 23, insert the following:

(b) RISK MANAGEMENT PLAN.—

(1) IN GENERAL.—Under the direction of the Commandant of the Coast Guard, each Area Maritime Security Committee shall develop a Port Wide Risk Management Plan that includes—

(A) security goals and objectives, supported by a risk assessment and an evaluation of alternatives;

(B) a management selection process; and

(C) active monitoring to measure effectiveness.

(2) RISK ASSESSMENT TOOL.—The Secretary of the Department in which the Coast Guard is operating shall make available, and Area Maritime Security Committees shall use, a risk assessment tool that uses standardized risk criteria, such as the Maritime Security Risk Assessment Tool used by the Coast Guard, to develop the Port Wide Risk Management Plan.

On page 19, line 16, strike “and”.

On page 19, line 18, strike the period at the end and insert “; and”.

On page 19, between lines 18 and 19, insert the following:

“(3) is consistent with the Port Wide Risk Management Plan developed under section 111(b) of the Port Security Improvement Act of 2006.

On page 19, strike line 24 and insert the following:

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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for Preparedness, may require.

“(h) REPORTS.—Not later than 180 days after the date of the enactment of the Port Security Improvement Act of 2006, the Secretary, acting through the Commandant of the Coast Guard, shall submit a report to Congress, in a secure format, describing the methodology used to allocate port security grant funds on the basis of risk.”.

CONSTITUTION DAY AND DEMOCRATIC OBSTRUCTION

Mr. FRIST. Mr. President, yesterday, September 17, marked the 219th anniversary of one of the most significant events in U.S. history. On September 17, 1787, 219 years ago, 39 brave men signed the U.S. Constitution.

We are all familiar with the Preamble of the Constitution:

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Today across the nation, children in each and every classroom are celebrating the birthday of our Constitution. Very likely, they are reciting this very same Preamble. Many are, no doubt, struggling through this seemingly archaic syntax to come to distill its purpose. These children are asking themselves the same questions we in the Senate face each day on the Senate floor: What does it mean to establish justice? What does it mean to ensure domestic tranquility; to provide for the common defense; to promote the general welfare; to secure the blessings of liberty to ourselves and our posterity?

In the midst of debate, it is temptingly easy to mire ourselves in the intricacies of legislation, and we spend hours in committees negotiating a phrase or a single word. But let's not forget the purpose behind our debates. Mr. President, 219 years ago, 39 men fulfilled the promise, fulfilled the vision of the Declaration of Independence by signing the Constitution. Today, the legacy depends on us. As citizens and as Senators, it is our duty to ensure that the values and purposes embodied by the Constitution continue to be the values that define our daily life.

Over the past few months, we have had many opportunities to do just that: the PATRIOT Act, Defense appropriations, border security, the Voting Rights Act, the Gulf of Mexico Energy Security Act, pension reform, and just last week, port security.

But too often my colleagues on the other side of the aisle have inhibited the fulfillment of our duty. They have relied on obstruction and thrown up roadblocks at every opportunity. They have let politics get in the way of sound policy and purpose. That is unacceptable.

We have only a few days left in this session. This week, we will vote on the nomination of Alice Fisher to be an Assistant Attorney General for the Crimi-

nal Division at the Department of Justice. But it has taken months and months to get to this point—months and months of obstruction. We have other key national security nominees who need to be confirmed. These are positions vital to our continued safety and security, but at every turn we find obstruction instead of confirmation.

As we move forward, I urge my colleagues to review our Constitution's Preamble, to consider anew our purpose here in the Senate, and to let that purpose guide our debate and action here on the Senate floor.

I yield the floor.

RECOGNITION OF THE DEMOCRATIC LEADER

The PRESIDENT pro tempore. The Democratic leader is recognized.

THE ADMINISTRATION'S MISTAKES IN THE IRAQ WAR

Mr. REID. Mr. President, for more than 3 years, this Congress, which has been given the name of the “do-nothing Congress,” has turned a blind eye to the intractable war in Iraq, ignoring the administration's many mistakes and allowing it to stay on a failed course.

Here we are, with 6 days left in the 109th Congress, and the Republicans, who control the House and Senate and the White House, have not held one hearing—not one—into the President's wartime failures. During the Civil War, President Lincoln was faced continually with oversight hearings by his Congress. Of course, we know during World War II, there were a number of commissions. The most famous was that conducted by Senator Harry Truman of Missouri, which led to his becoming Vice President. Some say, but for that he would not have been chosen as Vice President. What was the Truman Commission? It was to determine what was going on with World War II. Was money being wasted? Were troop levels right? Korean war hearings were also held, and the same for the Vietnam war. But for this war, none—even though this war has taken longer than it took to settle the differences in the European theater in World War II. Soon it will be the same amount of time that we were able to beat Japan.

This Republican Congress has wasted 20 months on horse slaughtering; the Schiavo case, dealing with someone's personal relationship, which should not even have been before this body; gay marriage; the nuclear option; flag burning; repealing the estate tax. But they could not find a day for some time to look at the President's mistakes, missteps, and misconduct, which have hurt American security and plunged Iraq into a civil war—not a day.

Yesterday's Washington Post newspaper brought the latest indictment of the Bush incompetence in Iraq, in a front-page story entitled “Ties to GOP Trumped Know-How Among Staff Sent

to Rebuild Iraq.” Mr. President, this article says a lot of things, but here is some of it:

... applicants didn't need to be experts in the Middle East or in post-conflict reconstruction. What seemed most important was loyalty to the Bush administration.

It is interesting to note that the person selected to do this is a man by the name of O'Beirne. I saw that name and it flashed because I have been on programs with a woman by the name of Kate O'Beirne. And I'll be darned, it happened to be her husband who was chosen to find the people to take care of postwar Iraq.

Here are some of the questions that were asked of the applicants: “Did you vote for George W. Bush in 2000?” They even asked questions about how the applicant felt about *Roe v. Wade*. People being interviewed for purposes of helping rebuild war-damaged Iraq were asked questions on *Roe v. Wade*. The questions had nothing to do with one's competence, their educational background, or their experience. The article says that

... from April 2003 to June 2004 [it was clear that O'Beirne] lacked vital skills and experience

to do what he was required to do. It says:

A 24-year-old who had never worked in finance—but had applied for a White House job—was sent to reopen Baghdad's stock exchange. The daughter of a prominent neoconservative commentator and a recent graduate from an evangelical university for home-schooled children were tapped to manage Iraq's \$13 billion budget, even though they didn't have a background in accounting.

The article also says:

Interviews with scores of former CPA personnel over the past two years depict an organization that was dominated—and ultimately hobbled—by administration ideologues.

“We didn't tap—and it should have started from the White House on down—just didn't tap the right people to do this job,” said Frederick Smith, who served as deputy director of the DPA's Washington office. “It was a tough, tough job. Instead we got people who went out there because of their political leanings.”

But many CPA staff members were more interested in other things: in instituting a flat tax—

People were sent there with no background, no education, no academic experience, and set out to create a flat tax in Iraq.

They were interested “in selling off government assets, in ending food rations and otherwise fashioning a new nation that looked a lot like the United States. Many of them spent their days cloistered in the Green Zone, a walled-off enclave in central Baghdad with towering palms, posh villas, well-stocked bars and resort-size swimming pools.”

Mr. President, this picture says it all. Here is Paul Bremmer. They dumped General Garner after a few weeks and brought Bremmer in. Here he is, on his throne—on his throne. He is on a throne surrounded by Iraqis.